

**RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 2841**

**PATENT**  
Attorney Docket No. 401225

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

HOSONO et al.

Application No. 09/871,976

Filed: June 4, 2001

For: CARBON BODY, PROCESS FOR  
PRODUCING THE CARBON BODY,  
AND ELECTRIC FIELD EMISSION  
ELECTRON SOURCE USING THE  
CARBON BODY

Art Unit: 2841

Examiner: T. Tran

#14/C  
And  
Unpublished  
11/24/03

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
Box AF  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated May 7, 2003, please enter the following amendments and consider the following remarks.

CT 9/4/03

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 USC 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application No.	09/871,976
Filing Date	June 4, 2001
First Named Inventor	HOSONO et al.
Group Art Unit	2841
Examiner Name	T. Tran
Attorney Docket No	401225

#13  
Exh/Ino.

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
**NOTE:** 37 CFR 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 CFR 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000). 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

RCE  
11/24/03

**1. Submission required under 37 CFR 1.114**

- a. ☒ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other:
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Form PTO-1449
- v. ☐ Copies of documents listed in Form PTO-1449
- vi. ☐ Other:

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 CFR 1.17(i) required.)
- b. ☐ Applicant claims small entity status. See 37 CFR 1.27
- c. ☐ Other:

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The following fees are enclosed:

- i. ☒ RCE fee of \$750.00 (large entity) required under 37 CFR 1.17(e)
- ii. ☒ One-month extension of time fee of \$110.00 (37 CFR 1.136 and 1.17)
- iii. ☐ Suspension of action fee of \$130.00 (37 CFR 1.17(i))
- iv. ☐ Other:

\$750.00

\$110.00

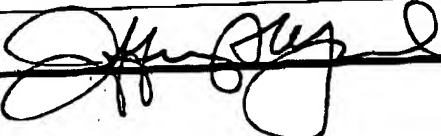
**TOTAL FEES ENCLOSED**

\$860.00

- b. ☐ Check in the amount of \_\_\_\_\_ enclosed
- c. ☒ The Commissioner is hereby authorized to charge the above fees to Deposit Account No. 12-1216
- d. ☒ The Commissioner is hereby authorized to charge any deficiencies in the above fees or to credit any overpayments to Deposit Account No. 12-1216

## Request For Continued Examination Transmittal

Application No. 09/871,976  
Attorney Docket No. 401225

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED			
Name (Print/Type)	Jeffrey A. Wyand	Registration No. (Attorney/Agent)	29,458
Signature		Date	Sept 4, 2003

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8			
I hereby certify that this RCE Transmittal is, on the date indicated below, <input type="checkbox"/> being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or <input type="checkbox"/> being facsimile transmitted to the U.S. Patent and Trademark Office.			
Name (Print/Type)			
Signature		Date	

LAW OFFICES  
LEYDIG, VOIT & MAYER, PROFESSIONAL CORPORATION  
700 THIRTEENTH ST., N. W., SUITE 300  
WASHINGTON, D.C. 20005-3960

IN RESIDENCE  
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OF COUNSEL  
John P. Bundock, Jr.  
John D. Foster

FACSIMILE TRANSMITTAL

DATE: 11/21/03 NUMBER OF PAGES (INCLUDING  
THIS TRANSMITTAL COVER SHEET): 13  
YOUR REFERENCE: 09/071,976 OUR REFERENCE: 401225  
ASSIGNEE REFERENCE: \_\_\_\_\_

FROM: Jeffrey Wyand

TO: Ex. T Tran FAX: 703-305-1341  
Art Unit 2841 PHONE: \_\_\_\_\_

MESSAGE: Attached is a copy of the RCE  
and Amendment filed Sept 4, 2003  
with a copy of the post card  
proving the filing.

A confirmation copy of the transmitted document will:

- ☒ Not be sent. This will be the only form of delivery of the transmitted document.  
☐ Be sent via First Class/Air Mail.  
☐ Be sent via Overnight Courier

The information contained in this facsimile transmission is intended only for the use of the individual or entity named above and those properly entitled to access to the information and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If the reader of this transmission is not the intended or an authorized recipient, you are hereby notified that any unauthorized distribution, dissemination, or duplication of this transmission is prohibited. If you have received this transmission in error, please immediately notify us by telephone or facsimile. Thank you.

Leydig Voit & Mayer  
700 13<sup>th</sup> St. N.W., Suite 300, Washington, D.C. 20005

Phone: 202 737-6770

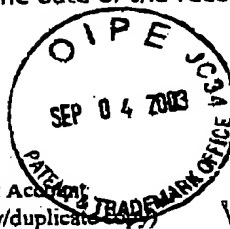
JAW/tps

The Patent Office acknowledges, and has stamped hereon, the date of the receipt of the items checked below:

Docket No.: 401225/FUKAMI

Application No.: 09/871,976

Inventor(s): HOSONO ET AL.



- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Fee Amount \$860.00  | <input type="checkbox"/> Check <input checked="" type="checkbox"/> Charge Deposit Account        |
| <input checked="" type="checkbox"/> Amendment  | <input type="checkbox"/> Transmittal Letter (    pages; w/duplicate copy)                        |
| <input type="checkbox"/> Response <input type="checkbox"/> with duplicate copy                                   | <input type="checkbox"/> Request for Approval of Drawing Amendment                               |
| <input type="checkbox"/> Extension of Time & Fee   | <input type="checkbox"/> Notice of Appeal & Fee  |
| <input type="checkbox"/> Declaration & Fee   | <input type="checkbox"/> Brief <input type="checkbox"/> & Fee                                    |
| <input type="checkbox"/> Assignment & Fee  | <input type="checkbox"/> Issue Fee Transmittal Form <input type="checkbox"/> with duplicate copy |
| <input type="checkbox"/> Notice to File Missing Parts  | <input type="checkbox"/> Transmittal of Formal Drawings &    sheets of drawings                  |
| <input type="checkbox"/> Claim of Priority   | <input type="checkbox"/> Maintenance Fee Address Form  |
| <input type="checkbox"/> Priority Document   | <input type="checkbox"/> Petition Under <input type="checkbox"/> & Fee                           |
| <input type="checkbox"/> Information Disclosure Statement  | <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> & Fee    |
| <input type="checkbox"/> Small Entity Statement(s) (    )  | <input type="checkbox"/> PTO-1449 (    pages) <input type="checkbox"/> &    documents            |
| <input type="checkbox"/> Trademark Application, Power of Attorney, & Fee <input type="checkbox"/> with specimens | <input checked="" type="checkbox"/> RCE Transmittal Letter (2 pages; w/duplicate copy)           |
| <input type="checkbox"/>   |  |